

72/1002

(P) (S)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CHHATTISGARH)

W.P.NO. 1094 /2002

PETITIONER

JAWAHIR RAM S/O. ADAL RAM CASTE-  
GOND, R/O. RAMPUR KALA, P.S.  
AND TAH. AMBIKAPUR DISTT.  
SURGUJA (CHHATTISGARH)

VERSUS

RESPONDENTS

- Suby. (Adv.) 19/06/02
- X 1) STATE OF CHHATTISGARH. Through Collector  
Surguja, Ambikapur, Distt. Surguja. Suby (Adv.)
- 2) THE ASSISTANT DIRECTOR, FISHARY  
INDUSTRY, AMBIKAPUR, DISTT.  
SURGUJA (CHHATTISGARH)
- 3) GRAM PANCHAYAT SAKHAULI, BLOCK  
DEVELOPMENT OFFICE, AMBIKAPUR,  
DISTT. SURGUJA (CHHATTISGARH)
- 4) BODHAN, S/O. BISHUN AGED ABOUT  
32 YEARS
- 5) BALDEV, S/O. BISHNA AGED ABOUT  
40 YEARS,
- 6) SUKHDEV S/O. LATE SONU, AGED  
ABOUT 38 YEARS,
- 7) DOMNA, S/O. DASHAYEE, AGED ABOUT  
37 YEARS,
- 8) KENDU, S/O. KHIRMOT AGED ABOUT  
35 YEARS
- 9) BHAGLU S/O. RAMBHALAI AGED ABOUT  
32 YEARS.
- 10) RAMNATH, S/O. BUDHU, AGED ABOUT  
22YEARS,
- 11) PAHRU, S/O. BUDHU AGED ABOUT 30  
YEARS.
- 12) AANA, S/O. KUNDARU, AGED ABOUT  
45 YEARS,
- 13) SOMARU, S/O. ANSO, AGED ABOUT 45  
YEARS,
- 14) GODARI, S/O. JHANJHARI, AGED  
ABOUT 40 YEARS,
- 15) SAKHDEV, S/O. NANKA, AGED ABOUT  
48 YEARS,
- 16) GOHDUL S/O. SUKHAN AGED ABOUT 48  
YEARS,
- SN.4 TO 16 ARE R/O. VILLAGE  
AAMADARAHA, CASTE-PAHARI KORWA,  
OCCUPATION-LABOURER, P.S. DARIMA,  
AMBIKAPUR DISTT. SURGUJA  
(CHHATTISGARH)

P. R. No. 1031/02  
Presented by Shri R. B. G. G. G.  
dated 10.05.02



10.5.02

Suby. Adv.

- 17) GIRISH CHANDRA PRATAP SINGH,  
SURPANCH GRAM PANCHAYAT  
SOKHAULI, AMBIKAPUR, DISTT.  
SURGUJA (CHHATTISGARH)

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WRIT PETITION UNDER ARTICLES 226/228 OF THE  
CONSTITUTION OF INDIA.

आदेश पत्रक

W.P. 1094/2002

सामान्य क्रमांक

सन् 200

विरुद्ध

| आदेश का<br>दिनांक आदेश<br>क्रमांक सहित | आदेश हस्ताक्षर सहित                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार<br>के अन्तिम आदेश |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
|                                        | <p>07.08.2003</p> <p>Shri Sushil Dubey, Advocate for the Petitioner.<br/>Shri Rajesh Pandey, Govt. Advocate for the State.<br/>Heard.</p> <p>It is stated that initially the petitioner was allotted certain ponds on lease for fishing for a period of five years, later on the said period of lease was extended for seven years. Accordingly, the petitioner has executed lease-deed for the extended period (Annexure P/4). Thereafter, the petitioner was informed that the extended lease was terminated by passing a resolution by the Gram-Panchayat. The petitioner preferred appeal before the Additional Collector, Surguja who after considering the facts and circumstances and material on record stayed the execution of the order of termination of lease-deed (Annexure P/5). The respondents 4 to 16 being aggrieved by the order passed by the Additional Collector filed Misc. case before the Collector. Petitioner submits that the Collector has passed the ex parte order dated 14.8.2001 without giving opportunity of hearing.</p> <p>Having considered the facts and circumstances of the case and without expressing any opinion in the merits of the case, in the opinion of this Court ends of justice will be served</p> |                                                           |

[सोर्ट देखें]

(5)

आदेश पत्रक  
W.P. 1094/2002  
मामला क्रमांक सन् 200

विरुद्ध

| आदेश का<br>दिनांक आदेश<br>क्रमांक सहित | आदेश हस्ताक्षर सहित<br>- 2 -                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार<br>के अन्तिम आदेश |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
|                                        | <p>if the petitioner makes a detailed representation afresh alongwith a copy of this petition within 15 days from today before the Collector and on such representation being filed, the Collector shall after giving opportunity of hearing to the petitioner and the other side, consider and decide the same as early as possible preferably within two months from the date of receipt of the representation in accordance with law. If any grievance subsists, the aggrieved party may avail remedy under the law.</p> <p>With the direction aforesaid, this petition is disposed of.</p> <p>Accordingly, M.W.P. No. 401/02 and I.A. No. 3483/02 also stand disposed of.</p> <p>C.C. as per rules.</p> | <p>Sd/-<br/>Fakhruddin<br/>Judge</p>                      |

[पाठ देखें]

15/8/02